

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION

RUSTY E. JOYNER

PLAINTIFF

v.

CIVIL NO. 4:16-cv-04108

TINA MAXWELL, Treatment Supervisor,  
Southwest Arkansas Community  
Correction Center (SWACCC); STEVE  
ARNOLD, Center Supervisor, SWACCC;  
GREG WICKS, Treatment Coordinator,  
SWACCC; LIEUTENANT JOHN SNEED,  
SWACCC; and ARKANSAS COMMUNITY  
CORRECTION

DEFENDANTS

**ORDER**

Plaintiff Rusty E. Joyner proceeds in this 42 U.S.C. § 1983 matter *pro se* and *in forma pauperis*. Before the Court are Plaintiff's Motion to Refile (ECF No. 13) his previous Motions to Compel and Issuance of Subpoena (ECF Nos. 8 and 9) and Motion for Issuance of Subpoena. ECF No. 14.

Plaintiff filed his initial Complaint on November 9, 2016. ECF No. 1. On November 10, 2016, I entered an Order directing Plaintiff to file an Addendum to his Complaint to clarify what he alleges each individual Defendant did or failed to do resulting in a violation of Plaintiff's civil rights. ECF No. 6. Plaintiff filed an Addendum to his Complaint on November 21, 2016. ECF No. 7. Plaintiff filed a Motion to Compel and Motion for Issuance of Subpoena on November 23, 2016. ECF Nos. 8, 9. These Motions were denied as being premature (ECF No.10) as the Court was still screening Plaintiff's Complaint.

I entered an Order directing service on the Defendants on December 7, 2016. ECF No. 11. To date, it does not appear any Defendant has been formally served with Plaintiff's Complaint. Therefore, Plaintiff's motions are premature. Accordingly, Plaintiff's Motion to Refile (ECF No. 13) and Motion for Issuance of Subpoena (ECF No. 14) are **DENIED**.

**Plaintiff is directed not to file any motions until after Defendants have filed their Answers in this matter. Plaintiff is further directed to follow the instructions regarding discovery in the 1983 Prisoner Litigation Guide before filing discovery motions with the Court.**

**IT IS SO ORDERED this 15<sup>th</sup> day of December, 2016.**

/s/ Barry A. Bryant  
HON. BARRY A. BRYANT  
UNITED STATES MAGISTRATE JUDGE